



RENTAL HOUSING DISPUTE RESOLUTION PROGRAM FREQUENTLY ASKED QUESTIONS

1. *What is the Rental Housing Dispute Resolution Program?*

The Mountain View City Council recently adopted an ordinance establishing the “RHDRP”. Its purpose is to provide a mechanism to address the impact of ever increasing rents on lower income families, and assist landlords and tenants in resolving disputes. It is designed to offer a neutral, confidential process to quickly and easily resolve rental housing issues.

2. *What types of rental properties are covered by the RHDRP?*

The program applies to rental properties in the City of Mountain View with three or more dwelling units in a single structure. Certain types of properties such as motels, mobile home parks and nursing homes are excluded.

3. *When did the Program become effective?*

On April 26, 2016 the City Council of the City of Mountain View adopted a Rental Housing Dispute Resolution Program Ordinance. The ordinance becomes effective May 26, 2016.

4. *What does the Program cover?*

The RHDRP provides a mandatory dispute resolution process for the following rental housing disputes:

- ✓ Rent increases that exceed a total of 7.2% within a 12 month period
- ✓ Service Reduction, which is defined as a reduction in the level of services or a failure to provide habitable premises
- ✓ 30/60 day notice of termination
- ✓ Maintenance/repairs
- ✓ Security deposits
- ✓ Termination by Tenant prior to End of Lease Term

5. *Is the landlord required to provide notice to its tenants regarding the RHDRP Program?*

Landlords are required to notify tenants that the rental unit is subject to the City’s Rental Housing Dispute Resolution Program and Right to Lease Ordinance upon leasing a rental unit, renewing a lease and with any notice of a rent increase. It must also include the contact information for the RHDRP administrator (Project Sentinel). Failure to provide this notice renders a rent increase void until the proper notice has been served.

6. *Who administers the RHDRP and what services are offered?*

The City of Mountain has contracted with Project Sentinel to administer the Program. The Program offers confidential bilingual counseling and information services to both tenants and landlords. Information on all applicable laws and programs is available. All services are confidential and neutral. Project Sentinel can be reached at (650) 960-0495 or mediate4mv@housing.org. More information is available at www.housing.org.

7. *How do I open a case?*

A tenant or a landlord can open a rental housing case by contacting Project Sentinel. A housing counselor will talk to you confidentially about your concerns and review whether you are eligible under the RHDRP. If you are eligible and wish to proceed, the counselor will send you a Written Request for Resolution to be completed and returned. Alternatively, you can fill out a Written Request form online and email it to Project Sentinel. A housing counselor will then contact you to confirm receipt and ask for more information if necessary. Once a case is opened a copy of the Request is sent to the other party and the dispute resolution process begins.

8. *What is the time limit to open a case?*

In order to open a case, a Written Request for Resolution must be filed within 21 days of learning about the facts that generated the dispute.

9. *What are the steps of the dispute resolution process once a case is opened?*

There are three steps. The first two steps, telephone conciliation and mandatory mediation apply to all rental housing disputes covered by the program.

- ✓ During conciliation, the housing counselor will initiate a confidential communication with each of the tenant and landlord separately, usually over the phone, to help them resolve their differences.
- ✓ If conciliation fails to resolve the dispute, a mandatory mediation will be held, which is a confidential meeting in which the tenant and landlord have the opportunity to listen and communicate with the help of an impartial mediator, to give them the opportunity to resolve their issues in a face-to-face process.
- ✓ If mediation does not resolve the dispute AND the dispute is about a rent increase over 7.2% in a 12 month period or a service reduction, each party may request mandatory non-binding arbitration. The impartial arbitrator, according to generally accepted rules for arbitrating disputes in Santa Clara County will review evidence submitted by the parties and will render a fair non-binding determination of the dispute.

10. *How do I know that the other party will participate in the dispute resolution process?*

Once an eligible case is opened, participation in the RHDRP is mandatory. If the landlord fails to participate in good faith in a case concerning a rent increase, the increase becomes invalid.

11. *If an agreement is reached, how will the agreement be documented and is it enforceable in court?*

If the parties reach agreement at any step of the process, their agreement will be recorded in a written document, signed and dated by all parties. The parties will have the option to make their agreement enforceable in court.

12. *Are the parties required to reach agreement?*

The parties are not required to reach agreement at any of the steps of the process. At the conciliation and mediation stages, the parties control the decision whether to reach agreement and they control the terms and conditions that could be included in an agreement. Although agreement cannot be imposed on either party, more than 70% of the cases are resolved using this type of dispute resolution process in various local communities.

13. *Am I protected against retaliation if I utilize the program?*

Any act of retaliation, such as termination of tenancy or harassment designed to force the tenant to vacate, is a violation of the RHDRP Ordinance. Retaliation is also a defense in a Superior Court eviction case.

14. *Is there any charge for any of the program services?*

All services are free to the parties, both tenants and landlords.

15. *How can I learn more about the RHDRP?*

Contact Project Sentinel at 650-960-0495 or mediate4mv@housing.org. Information about the program is also available on the City's website www.mountainview.gov/disputeresolution.